

# Michael J. Diver

*Partner and Co-Chair, Securities Litigation Department and  
Co-Chair, Securities Enforcement Defense*

Chicago Office

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## Practices

FOCUS: Securities Litigation  
Broker-Dealer Regulation  
Capital Markets  
Corporate Governance  
Fiduciary and Private Client Litigation  
Financial Markets Litigation and Enforcement  
Futures and Derivatives  
Government and Public Finance  
Investment Management and Funds  
Litigation  
Monitorships  
Securities Enforcement Defense  
White Collar and Internal Investigations

## Industries

Education  
Energy  
Finance and Financial Markets  
Pharmaceutical and Life Sciences  
Technology

## Education

JD, Lewis & Clark Law School  
BA, Bucknell University

## Bar Admissions

Illinois  
New York

## Court Admissions

US District Court, Northern District of Illinois

Michael Diver has built a national practice advising public companies, financial services firms and individuals in securities litigation and regulatory investigations. In these high-stakes matters, Michael's past experience as a branch chief in the Enforcement Division of the Securities and Exchange Commission (SEC) gives him valuable perspective, and he has a long track record of achieving very favorable results for his clients.

As an Enforcement Division branch chief, Michael managed a team of SEC enforcement attorneys in investigating and prosecuting securities law violations, including matters involving complex financial fraud, market manipulation, insider trading and violations of broker-dealer, investment adviser and investment company regulations.

Applying his government experience in private practice, Michael represents public companies, financial institutions and their individual officers and directors in regulatory matters and civil litigation. With over 20 years of experience, Michael is adept at devising effective defense strategies to address legal risks across a broad spectrum of circumstances. He is often called upon to defend clients that are facing concurrent private actions and regulatory investigations, and to defend against claims involving complex legal or compliance issues.

In addition to handling investigations and litigation, he also regularly advises clients in connection with corporate governance matters, shareholder claims, financial restatements, internal investigations and Financial Industry Regulatory Authority, Inc. (FINRA) and stock exchange inquiries.

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## Community Involvements

American Bar Association

Association of Securities and Exchange  
Commission Alumni

The Chicago Bar Association

**"Mike is smart, strategic and very attentive. Mike not only understands the law, he gets the PR, political and corporate issues surrounding a matter." "He's very practical, easy to work with and a very capable lawyer."**

- *Chambers USA 2023*  
(*Illinois, Litigation: Securities*) survey response

## Recognitions

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*Recognized or listed in the following:*

- *Benchmark Litigation*
  - National Practice Area Star, 2022
- *BTI Client Service All-Stars*
  - 2014
- *Chambers USA*
  - Securities: Regulation: Enforcement, 2018–2019
  - Litigation: Securities, 2019–2023
- *Super Lawyers*
  - Illinois, 2017–2024
- *The Legal 500 United States*
  - Next Generation Lawyer, 2019–2020
  - Recommended Attorney, 2015–2017, 2020–2023
  - Leading Lawyer, 2021–2023

## News

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- Katten Attorneys Named to 2024 Illinois Super Lawyers, Rising Stars Lists (January 25, 2024)
- Katten Lauded in The Legal 500 United States 2023 (June 9, 2023)
- Katten Boosts Rankings in *Chambers USA Guide 2023* (June 1, 2023)
- Katten Attorneys Selected to 2023 Illinois Super Lawyers, Rising Stars Lists (January 24, 2023)

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- Katten Awarded Top Ranking in Structured Finance: Securitization in The Legal 500 United States 2022 (June 8, 2022)
- Katten Ranked Leading Law Firm by *Chambers USA* 2022 (June 1, 2022)
- Katten Attorneys Named to 2022 Illinois Super Lawyers, Rising Stars Lists (January 28, 2022)
- Katten Receives High Marks in Derivatives, M&A and Securitization in The Legal 500 United States 2021 Guide (June 10, 2021)
- Katten Attorneys Chosen for 2021 Illinois Super Lawyers, Rising Stars Lists (January 29, 2021)
- Katten Named Top-Tier Firm in Structured Finance and Securitization by The Legal 500 United States 2020 Guide (June 16, 2020)
- Katten Rated Top Law Firm by *Chambers USA* 2020 (April 23, 2020)
- Katten Attorneys Selected to 2020 Illinois Super Lawyers, Rising Stars Lists (January 29, 2020)
- Katten Praised in The Legal 500 United States 2019 Guide (June 11, 2019)
- Katten Lauded Top Ranked Law Firm by *Chambers USA* 2019 (April 25, 2019)
- Super Lawyers Lists Honor More Than 50 Katten Attorneys in Illinois (January 24, 2019)
- Katten Rated as Leading Law Firm by *Chambers USA* 2018 (May 3, 2018)
- Katten Attorneys Recognized in 2018 Illinois Super Lawyers, Rising Stars Lists (January 25, 2018)
- Katten Distinguished by *The Legal 500 United States* 2017 (May 31, 2017)
- Katten Attorneys Recognized in 2017 Illinois *Super Lawyers*, Rising Stars Lists (January 13, 2017)

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- Eighteen Katten Practices and 70 Attorneys Recognized by *The Legal 500 United States* 2016 (June 17, 2016)
- Nine Katten Practices and 42 Attorneys Distinguished by *The Legal 500 United States* 2015 (June 3, 2015)
- Katten's Andrew Klevorn, Michael Diver and Vincent Sergi Named 2014 BTI Client Service All-Stars (February 6, 2014)
- Katten Advises Two Publicly Traded Financial Institutions in \$630 Million Worth of TARP Capital Purchase Program Transactions (December 1, 2008)
- Katten Represents Nuveen's Special Committee in Proposed \$6.3 Billion Acquisition by Investor Group (June 25, 2007)
- Katten Represents Covansys' Special Committee in \$1.3 Billion Acquisition by Computer Sciences Corporation (April 27, 2007)
- Katten Names 27 New Partners (April 17, 2006)

## Publications

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- FINRA Settles First Significant CAT Reporting Enforcement Action (September 7, 2023)
- Financial Markets and Funds Quick Take | Issue 6 (September 15, 2022)
- FINRA Proposes Trade Reporting Requirements for OTC Options Transactions (September 7, 2022)
- PLI SEC Compliance and Enforcement (2015–2019)
- Eleventh Circuit Applies Five-Year Statute of Limitations to SEC Disgorgement Claims (June 13, 2016)
- Municipal Advisors and "Bank Purchase" Bonds: What's All the Commotion About? (April 23, 2015)
- The SEC's MCDC Initiative: Where To Go From Here (October 14, 2014)

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- The SEC's Heightened Scrutiny of Broker-Dealer Municipal Securities Underwriting and Public Entity Sales Practices (February 29, 2012)
- SEC Adopts Final Rules for Whistleblower Program under Dodd-Frank Act (June 2, 2011)
- Dodd-Frank Wall Street Reform and Consumer Protection Act Corporate Governance and Disclosure Provisions (July 6, 2010)
- SEC Enforcement Director Robert Khuzami Announces Revamping of Enforcement Program (August 8, 2009)
- Parallel Proceedings: Establishing the Boundaries (March 2006)

## Presentations and Events

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- Katten's Annual Financial Markets Litigation and Enforcement Symposium (October 13, 2022)
- Securities Litigation and Enforcement: Recent Developments and Current Trends (January 27, 2022)
- Katten's Annual Financial Markets Litigation and Enforcement Symposium Series (October 15, 2020) | *Panelist* | *Hot Topics in Securities Regulatory Enforcement*.
- Insider Trading Compliance: Trends and Legal Developments Impacting Policies and Procedures (January 23, 2020) | *Presenter* | *A Strategic-Asset General Counsel Series Webinar*
- Katten's Annual Financial Markets Litigation and Enforcement Symposium (October 10, 2019)
- Understanding the Securities Laws 2019 (September 18–19, 2019) | *Moderator* | *Navigating Ethics and Professionalism Requirements in Securities Law Practice*

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- The Society for Corporate Governance (September 10, 2019) | *Presenter | Trends and Legal Developments Impacting Insider Trading Compliance Policies and Procedures and Rule 10b5-1*
- Financial Services Litigation Symposium (October 2, 2018) | *Panelist*
- Understanding the Securities Laws 2018 (September 27, 2018) | *Presenter | Navigating Ethics and Professionalism Requirements*
- Understanding the Securities Laws 2017 (September 28, 2017) | *Presenter | Navigating Ethics and Professionalism Requirements*
- PLI Internal Investigations 2017 (June 7, 2017) | *Speaker*
- PLI Understanding the Securities Laws (October 29, 2016) | *Moderator | Navigating Ethics and Professionalism Requirements*
- PLI Internal Investigations 2016 (June 7, 2016) | *Speaker*
- Council of Development Finance Agencies—Illinois Roundtable (May 18, 2016) | *Presenter | SEC & IRS Enforcement in the Municipal Bond Market*
- PLI Understanding the Securities Laws (October 27–28, 2015) | *Speaker*
- Financial Services Litigation Symposium (October 6, 2015) | *Panelist*
- Mastering Disclosure in a Post-MCDC World: Hot Topics in SEC and IRS Bond Enforcement (July 14, 2015) | *Panelist*
- PLI Internal Investigations 2015 (June 9, 2015) | *Speaker*
- Council of Development Finance Agencies—Illinois Roundtable (May 12, 2015) | *Panelist | Post-Issuance Compliance With SEC and IRS Bond Requirements*
- PLI Understanding the Securities Laws Fall 2014 (October 23–24, 2014) | *Speaker | Disclosure Challenges and Current Hot Topics*
- PLI Internal Investigations 2014 (June 10, 2014) | *Speaker*
- PLI Understanding the Securities Laws (October 24–25, 2013) | *Speaker*
- PLI Internal Investigations 2013 (June 11, 2013) | *Panelist*

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- Engaging the SEC, Presented by the National Investor Relations Institute (April 23, 2013) | *Panelist*
- The Gathering Storm: Equity Compensation and 10b5-1 Plans Under Attack (January 15, 2013) | *Speaker*
- PLI Understanding the Securities Laws 2012 (October 25–26, 2012) | *Presenter* | *Ethics and Professionalism in Securities Law*
- NYSE Corporate Board Member Webinar (June 1, 2012) | *Critical Steps in Handling an SEC Investigation*
- Insider Trading Compliance: Mitigating Risk in an Era of Heightened Scrutiny (April 1, 2012) | *Presenter*
- 2011 Proxy Season Update: Insiders' Perspectives (December 9, 2010) | *Panelist*